

**Remarks/Arguments**

Claims 1-4 are pending in the present application. In the Office action dated June 30, 2005, claims 1-4 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,923,884 to Peyret et al. (“Peyret”). Applicant respectfully traverses these rejections.

Claim 1 of the present application recites, *inter alia*, determining, based at least upon an encrypted personalization data block, that an IC card is qualified to accept loading of an application. Peyret does not determine if an IC card is qualified to accept loading of an application. Instead, Peyret discloses at most that after the smart card and server authenticate each other, then the loading of an applet begins. (Peyret, Col. 7, lines 51-53). Authentication, however, is not qualification and/or determining if a card is part of a qualified set of cards to accept loading of an application. Authentication only entails verifying the authenticity of the card by, for example, considering a user’s personal identification number (“PIN”). (Peyton, Col. 9, lines 44-49).

The Peyret patent makes no mention of limiting the set or number of cards onto which an application or applications can be loaded. The specification of the Peyret patent further states: “[S]ince the entire applet is loaded back into the smart card, the type of the use right of the applet is irrelevant, and the loading system may reload any type of applet within the smart card regardless of the type of use rights that the applet may have.” (Peyret, Col. 8, lines 36-40). The above-quoted language makes it clear that one of the key benefits of the Peyret system is its ability to load any type of applet onto a card. (*Id.*; *See also* Peyret, Col. 9, lines 36-38 (“As described above, the universal loader can load any type of applet with any type of use rights from the server to the memory of the smart card.”)).

Further, Peyret does not determine an IC card's qualification - which itself is not even disclosed in Peyret - based on encrypted personalization data, as recited in claim 1 of the present invention. Instead, Peyret discloses verifying the authenticity of the smart card through a PIN or a coded word. (Peyret, Col. 7, lines 45-50). Peyret does not disclose that the PIN or coded word, which is merely a predefined word, is encrypted. Because Peyret does not disclose or suggest determining if an IC card is qualified to accept loading of an application, or base any such qualification on encrypted personalization data, claim 1 of the present invention is not anticipated or rendered obvious by Peyret.

Similarly, as to claim 2, Peyret does not disclose determining that an IC card is qualified to accept deleting an application or basing any such determination on encrypted personalization data. Instead, Peyret discloses that an applet with refreshed use rights replaces an original applet. (Peyret, Col. 7, lines 65-67). Similar to loading an applet, Peyret discloses replacing an applet after verifying authenticity through a PIN or coded word. As explained above, authentication is not qualification and/or determining if a card is part of a qualified set of cards to accept deleting of an application. And a PIN or coded word is not encrypted personalization data. As such, Peyret does not teach each and every element of claim 2 and thus does not anticipate or render obvious the present invention.

As to claim 3, because Peyret does not disclose or suggest determining if an IC card is qualified to accept loading of an application, or base any such qualification on encrypted personalization data as described above, claim 3 of the present invention is not anticipated or rendered obvious by Peyret.

As to claim 4, because Peyret fails to disclose determining if an IC card is qualified to accept deleting of an application, or base any such qualification on encrypted

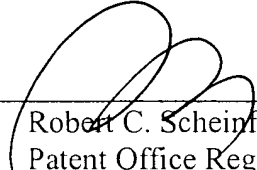
personalization data as described above, claim 4 of the present invention is not anticipated or rendered obvious by Peyret.

Applicant submits that the present claims are in condition for allowance, and such action is earnestly requested.

Respectfully submitted,

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By



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